IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 162 OF 2007

IN

NOTICE OF MOTION NO. 721 OF 2007

IN

B.C.C.C.S.C. SUIT NO. 767 OF 2007

WITH

CIVIL APPLICATION NO. 238 OF 2007

Uday N. Kotian ..... Appellant
Vs.
MMRDA & ANR. ..... Respondent/s

M/s M.P. Vashi & Associates for the Appellant.
Mr. K.S. Patil for Respondent Nos. 1 and 2.

CORAM : SHRI. A.M. KHANWILKAR, J.,
DATE : 2ND MARCH, 2007

P.C.

1) Counsel for the Respondents - authority submits that the eligibility criteria of the appellant is being examined. It is agreed that until necessary decision is taken thereon, there is no question of demolition of the suit structure. In view of the statement, no further directions are required. It is made clear that before taking any action with regard to the suit structure,

respondents- authority will give sufficient advance notice atleast of 48 hours to the appellant and or the occupant of the suit structure. The appellant assures to extend all co-operation to the respondents-authority for considering the claim of his eligibility as and when called upon to do so.

2) In view of above, appeal and the companion Civil Application disposed of accordingly.

(A.M. KHANWILKAR, J.)